IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

THURSDAY, THE 9TH AUGUST 2007 / 18TH SRAVANA 1929

RP.No. 688 of 2007(N)

AGAINST THE JUDGEMENT/ORDER IN WPC.764/2007 Dated 19/02/2007.

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REVIEW PETITIONER/PETITIONER:

DR.P.P. KANARAN, AGED 45 YEARS,
SON OF RARUKUTTY, SENIOR VETERINARY SURGEON,
DISTRICT VETERINARY HOSPITAL, KOZHIKODE.

BY ADV. SRI.JACOB ABRAHAM
SMT.KOCHUMOL KODUVATH

RESPONDENTS: RESPONDENTS:
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1. **STATE OF KERALA,**
   REPRESENTED BY THE SECRETARY, DEPARTMENT OF ANIMAL HUSBANDRY, TRIVANDRUM.

2. **THE SECRETARY,**
   DEPARTMENT OF ANIMAL HUSBANDRY, TRIVANDRUM.

3. **DR.M.G.RAJAN,**
   SENIOR VETERINARY SURGEON, VETERINARY HOSPSITAL, KODANCHERRY, KOZHIKODE DISTRICT.

BY ADV. SRI.A.ANILKUMAR
GOVERNMENT PLEADER SRI.NANDAKUMAR

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD ON 09/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

ANTONY DOMINIC,J.

R.P. No.688 of 2007

in

W.P (C) No. 764 of 2007

Dated this the 9th day of August, 2007

J U D G M E N T

This petition is seeking review of the judgment in W.P. (C) No.764 of 2007. Two grounds are urged. One is that wrong facts were supplied to the learned Government Pleader for preparing the counter affidavit in the writ petition and that it was placing reliance on such wrong facts that this court had rendered judgment in the writ petition. It is also contended that the Minister concerned had approved the transfer without any materials.

2. As far as the contention that wrong facts were supplied to the Government Pleader is concerned it is raised placing reliance on a file noting by the Assistant Director of Animal Husbandry. It may be true that in the statement of facts that was made available to the Government Pleader there were erroneous facts. However, a reading of the judgment discloses that none of those facts have been relied on by the learned Single Judge while disposing of the writ petition. Therefore, on the ground that wrong facts were supplied to the Government

Pleader the judgment is not rendered erroneous and calling for its review.

3. It is contended that the Minister concerned had approved the proposal for transfer overruling the objections of the department and that too without any factual basis. Assuming that there is some substance in what the petitioner contends this plea can at best be ground for an appeal and not for review.

I do not find any merit in the writ petition and it is dismissed.

(ANTONY DOMINIC,JUDGE)

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/True copy/

P.A to Judge

K.THANKAPPAN,J

CRL.A. NO.92 OF 1999

ORDER

25th May, 2007